

By: Harris

S.B. No. 1161

A BILL TO BE ENTITLED

1 AN ACT

2 relating to corrected reports, registrations, and statements filed
3 with the Texas Ethics Commission.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 305.033, Government Code, is amended by
6 adding Subsection (f) to read as follows:

7 (f) A registration or report filed by a registrant is not
8 considered to be late for purposes of this section if the registrant
9 files a corrected or amended registration or report not later than
10 the 41st day after the date the registrant becomes aware of the
11 error or omission in the registration or report originally filed.

12 SECTION 2. Section 571.0771, Government Code, is amended by
13 adding Subsection (b-1) to read as follows:

14 (b-1) For purposes of Subsection (a)(1), a report does not
15 substantially comply with the applicable law if it contains an
16 error other than one of the following errors:

17 (1) an obvious typographical error;

18 (2) the omission of information required for the
19 commission's administrative purposes;

20 (3) one or more instances of an incorrectly reported
21 contribution or an unreported contribution, if the total of
22 incorrectly reported or unreported contributions does not exceed
23 the lesser of:

24 (A) 10 percent of the total contributions

1 reported on the corrected report; or

2 (B) \$10,000;

3 (4) one or more instances of an incorrectly reported
4 contribution or an unreported contribution, if the total of
5 incorrectly reported or unreported contributions does not exceed
6 \$2,000;

7 (5) one or more instances of an incorrectly reported
8 expenditure or an unreported expenditure, if the total of
9 incorrectly reported or unreported expenditures does not exceed the
10 lesser of:

11 (A) 10 percent of the total expenditures reported
12 on the corrected report; or

13 (B) \$10,000;

14 (6) one or more instances of an incorrectly reported
15 expenditure or an unreported expenditure, if the total of
16 incorrectly reported or unreported expenditures does not exceed
17 \$2,000;

18 (7) an error in the amount reported under Section
19 254.031(a)(8), Election Code, if the correct amount:

20 (A) does not vary by more than 10 percent from the
21 amount originally reported; and

22 (B) does not exceed \$10,000;

23 (8) an error in the amount reported under Section
24 254.031(a)(8), Election Code, if the error in the amount originally
25 reported does not exceed \$2,000; or

26 (9) a reporting error that the commission determines
27 is, in context, minor.

1 SECTION 3. Subsection (f), Section 305.033, Government
2 Code, as added by this Act, applies only to a registration or report
3 required to be filed under Chapter 305, Government Code, that is due
4 on or after September 1, 2005. A registration or report required to
5 be filed under Chapter 305, Government Code, that is due before
6 September 1, 2005, is governed by the law in effect on the date the
7 registration or report is due, and the former law is continued in
8 effect for that purpose.

9 SECTION 4. Subsection (b-1), Section 571.0771, Government
10 Code, as added by this Act, applies only to a report, registration,
11 or statement required to be filed with the Texas Ethics Commission
12 that is due on or after September 1, 2005. A report, registration,
13 or statement required to be filed with the Texas Ethics Commission
14 that is due before September 1, 2005, is governed by the law in
15 effect on the date the report, registration, or statement is due,
16 and the former law is continued in effect for that purpose.

17 SECTION 5. This Act takes effect September 1, 2005.